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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,565	06/19/2001	Kozo Kawakita	450108-02368	1859

20999 7590 12/02/2004

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EXAMINER	
LUK, LAWRENCE W	

ART UNIT	PAPER NUMBER
2838	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/868,565	KAWAKITA, KOZO	
	Examiner	Art Unit	
	Lawrence W Luk	2838	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 September 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *36,38,39,42 and 43* is/are allowed.

6)☒ Claim(s) *1,2,4,5,9,12,13,15,16,20,23-28,32,35,37,40 and 41* is/are rejected.

7)☒ Claim(s) *3,6-8,10,11,14,17-19,21,22,29-31,33 and 34* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1,2, 4, 5, 12, 13, 15, 16, 23-28, 35, 37, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colens (5,869,910) in combination with Terzian et al (3,648,408).

As to claim 1, Colens discloses in column 2, lines 33-38, a robot apparatus charging system, comprising: a robot apparatus on which a charging battery is mounted, and a charging device for charging said charging battery mounted on said robot apparatus, wherein said robot apparatus includes charging indicating means for performing a predetermined movement of a body part of the robot apparatus to indicate an amount of charging in said charging battery on charging said charging battery in said charging device, except for a predetermined movement of at least one selected a body part of the robot.

Terzian et al. disclose in column 1, lines 64-72, a predetermined movement of at least one selected a body part of the robot.

It would have been obvious to person having ordinary skill in the art at the time of the invention was made to modify the device of Colens to include a predetermined

movement of at least one selected a body part of the robot as taught by Terzian for target motion pattern.

As to claims 2 and 13, Colens in view of Terzian et al. are applied supra, and Colens further discloses in column 3, lines 13-28, said at least one selected body part of said robot apparatus has a movable portion and said predetermined movement is a movement to move said movable portion.

As to claims 4, 15, 25, and 28, Colens in view of Fujita are applied supra, and Colens further discloses in column 2, lines 33-39, characterized in that said predetermined movement is a movement to notify of completion of charging of said charging battery.

As to claims 5 and 16, Colens in view of Fujita are applied supra, and Colens further discloses in column 2, lines 33-39, characterized in that said predetermined movement is a continuous movement.

As to claim 12, Colens in view of Fujita are applied supra, and Colens further discloses in column 2, lines 33-38, a robot apparatus comprising charging indicating means for performing, on charging a charging battery mounted thereon, a predetermined movement of at least one selected body part of the robot apparatus to indicate an amount of charging of said charging battery during changing of said charging battery in a charging device.

As to claims 23 and 24, Colens in view of Fujita are applied supra, and Colens further discloses in column 2, lines 33-38, a charging device for charging a charging battery mounted on a robot apparatus, characterized by causing charging indicating

means of said robot apparatus, on charging said charging battery, to perform a predetermined movement of at least one selected body part of the robot apparatus to indicate an amount of charging of said charging battery while the said robot apparatus is in the charging device.

As to claims 26 and 35, Colens in view of Fujita are applied supra, and Colens further discloses in column 2, lines 33-38, a robot apparatus charging method for charging a charging battery mounted on a robot apparatus, characterized by causing charging indicating means of said robot apparatus, on charging said charging battery in a charging device, to perform a predetermined movement of at least one selected body part of said robot apparatus to indicate an amount of charging of said charging battery while said robot apparatus is in a charging device.

As to claim 27, Colens in view of Fujita are applied supra, and Colens further discloses in column 3, lines 13-28, characterized in that said robot apparatus is caused to perform a predetermined movement at completion of charging of said charging battery.

As to claim 37, Colens in view of Fujita are applied supra, and Colens furtherdiscloses in column 3, lines 13-28, for charging a charging battery mounted on a robot apparatus by causing said robot apparatus, on charging said charging battery to perform a predetermined movement in accordance with an amount of charging of said charging battery, wherein said predetermined movement is of at least one selected body part of the robot apparatus while the robot apparatus is in a charging device.

As to claim 40, Colens in view of Fujita are applied supra, and Colens further discloses in column 3, lines 13-28, a charging device for charging a charging battery mounted on a robot apparatus, characterized by causing said robot apparatus, on charging said charging battery, to perform a predetermined movement in accordance with an amount of charging of said charging battery, wherein said predetermined movement is a movement of a body part of the robot apparatus to notify of completion of charging of said charging battery while said robot apparatus is in said charging device.

As to claim 41, Colens in view of Fujita are applied supra, and Colens further discloses in column 3, lines 13-28, A robot apparams charging method for charging a charging battery mounted on a robot apparatus, characterized by causing said robot apparatus, on charging said charging battery in a charging device, to perform a predetermined movement of at least one selected body part of the robot apparatus in accordance with an amount of charging of said charging battery, wherein said robot apparatus caused to perform a predetermined movement at completion of charging of said charging battery in said charging device.

3. Claims 9, 20 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colens (5,869,910) and Terzian et al. (3,648,408) in combination with Takenaka et al. (6,064,167).

As to claims 9, 20 and 32, Colens and Terzian et al. discloses the apparatus as claimed, except for the characterized in that said robot apparatus has legs, and said predetermined movement is a movement to raise said legs.

Takenaka et al. disclose in figure 6, column 13, line58 to column 14, line 4, the characterized in that said robot apparatus has legs, and said predetermined movement is a movement to raise said legs.

It would have been obvious to person having ordinary skill in the art at the time of the invention was made to modify the device of Colens and Terzian et al. to include a robot apparatus having legs, and said predetermined movement is a movement to raise said legs as taught by Takenaka et al. for target motion pattern.

Allowable Subject Matter

4. Claims 36, 38, 39, 42 and 43 are allowed.

Claim 36 is allowable. The reason for allowance is that the prior art of record fails to disclose or reasonably suggest the detection means for detecting that a predetermined area is rocked. It is these features found in the claim, as they are claimed in the combination, which has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

Claim 38 is allowable. The reason for allowance is that the prior art of record fails to disclose or reasonably suggest said predetermined movement is a movement to change a pose of said robot apparatus form a first pose during charging to a second pose to notify of completion of charging by moving said movable portion at completion of charging of said charging battery. It is these features found in the claim, as they are claimed in the combination, which has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

Claim 39 is allowable. The reason for allowance is that the prior art of record fails to disclose or reasonably suggest a predetermined movement in accordance with an amount of charging of said charging battery, wherein said predetermined movement is a movement to change a pose of said robot apparatus from a first pose during charging to a second pose to notify of completion of charging by moving said movable portion at completion of charging of said charging battery. It is these features found in the claim, as they are claimed in the combination, which has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

Claims 42 and 43 are allowable. The reason for allowance is that the prior art of record fails to disclose or reasonably suggest said predetermined movement is a movement to notify of completion of charging of said charging battery, and said robot apparatus has a speaker, and said predetermined movement is a movement to make a sound through said speaker. It is these features found in the claim, as they are claimed in the combination, which has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

5. Claims 3, 6-8, 10, 11, 14, 17-19, 21, 22, 29-31, 33 and 34 are objected to as being dependent upon a rejected base claim.

As to claims 3 and 14, the robot apparatus charging system, the characterized in that said predetermined movement is a movement to change a pose of said robot apparatus from a first pose during charging to a second pose to notify of completion of charging by moving said movable portion at completion of charging of

said charging battery.

As to claims 6,17 and 29, the robot apparatus charging characterized in that said robot apparatus has a head, and said predetermined movement is a movement to raise said head.

As to claims 7,18 and 30, the robot apparatus charging characterized in that said robot apparatus has forelegs and hind legs, and said predetermined movement is a movement to lift said forelegs.

As to claims 8, 19 and 31, the robot apparatus charging characterized in that said robot apparatus has a tail, and said predetermined movement is a movement to wag said tail.

As to claims 10, 21 and 33, the robot apparatus charging characterized in that said robot apparatus has a speaker, and said predetermined movement is a movement to make a sound through said speaker.

As to claims 11, 22 and 34, the robot apparatus charging characterized in that said robot apparatus has voice generating means for generating a predetermined voice and a speaker, and said predetermined movement is a movement to output said voice generated by said voice generating means through said speaker.

Claims 3, 6-8,10,1 1, 14, 17-19, 21, 22, 29-31, 33 and 34 would be allowable if rewritten in independent from including all of the limitations of the bass claim.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence W Luk whose telephone number is (571)272-2080. The examiner can normally be reached on 7 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Sherry can be reached on (571)272-2084. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see hop://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LWL

November 26, 2004

Lawrence Luk

examiner

11/26/04